

**JAMES DANIEL ERSPAMER,**

**Plaintiff,**

**v.**

**KELLY J. WARD, Deputy, et al.,**

**Defendants.**

**THIS MATTER** is before the Court on its own motion.

According to the website of the North Carolina Department of Public Safety, Plaintiff was released from custody on June 12, 2014, however Plaintiff has not provided this Court with a current address such that this case may proceed. Plaintiffs have a general duty and responsibility to prosecute their cases, and this includes the obligation to provide the Court with a current address. See Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988). Federal Rule of Civil Procedure 41(b) provides as follows:

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this subdivision (b) and any dismissal not under this rule—except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19—operates as an adjudication on the merits.

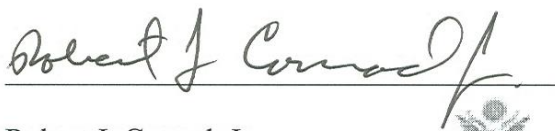
The Court entered an Order on November 24, 2014, informing Plaintiff of his duty to prosecute his case as discussed herein, and provided Plaintiff with 14-days to provide his current address. Further, Plaintiff was warned that failure to so notify the Court would result in dismissal of his complaint and without further notice. On November 24, 2014, the Clerk mailed a copy of this Order to Plaintiff's last known address and Plaintiff was provided up to and including December 11, 2014, in order to file the required notice. The 14-day time period has now elapsed and Plaintiff has failed to comply with the Court's order and his complaint will therefore be dismissed for failure to prosecute.

**IT IS, THEREFORE, ORDERED** that Plaintiff's complaint is **DISMISSED** for failure to prosecute. (Doc. No. 1).

The Clerk is directed to close this case.

**IT IS SO ORDERED.**

Signed: December 18, 2014



Robert J. Conrad, Jr.  
United States District Judge

